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THE IRISH HOME RULE BILL

UNLESS some reverse should overtake the Liberal government, it is now almost certain that between April and June of 1914 the Home Rule Bill, which was rejected in the House of Lords on January 30, 1913, by a vote of 326 to 69, will become law, and that once more there will be an Irish Parliament in Dublin. This measure will probably be the first law on the statute book of Great Britain to which there will not be prefixed the clause: "Enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons"—the first act to become law under the Parliament Act of 1911. The vote of January 30 showed that, without the help of the Parliament Act, the Irish bill could hardly have become law without at least one more general election, and that it would have been necessary to dissolve Parliament definitely on the home rule issue in order to obtain a popular mandate too strong to be disregarded by the House of Lords. In 1893, when Gladstone's second Home Rule Bill passed the House of Commons and was rejected by the House of Lords, the Liberal government did not consider the measure of such paramount importance as to induce them to go to the country after one year of office; and the election of 1895, which put the Conservatives again in power, was fought on other issues besides that of home rule. In fact, in spite of the long and persevering fight that the Irish Nationalists have made for home rule, and in spite of the fact that home rule has had its place in Liberal programmes since 1886, it is difficult to believe that any home rule bill would have had a reasonable chance of becoming law in the present generation, had it not been that the Lords, by throwing out the Finance Bill of 1909, defied the Commons and invited the contest in which they were worsted. With the Parliament Act in force, the Liberals are in a position to re-pass the present Home Rule Bill in the session of 1913 for the Lords again to reject and, in 1914, to send it forward to the king for his signature without the advice and

consent of the lords spiritual and temporal. Home rule for Ireland will be the first-fruits of the great constitutional change which has destroyed the power of the House of Lords to annul Liberal legislation and has left it only the power to delay.

Not much change is likely to be made in the bill as it was passed by the House of Commons on January 16, 1913. Under the Parliament Act the bill must be passed by the Commons for the second and the third time in practically its original shape. The only amendments permissible in the House of Commons are such as are certified by the speaker to be necessary, owing to the time which has elapsed since the date of the former bill. The Parliament Act permits amendments which have been made in the House of Lords to be accepted by the Commons; and, if the upper house were really anxious for the best possible legislation, much might be done in coöperation with the government to improve the measure during the period of delay which the Lords are still permitted to interpose. It is not expected, however, that the Lords will make use of their limited powers to this end. The vote of January 30 showed them to be on the whole utterly irreconcilable, and while amendments might be suggested for the Liberal government by Lord Morley or Lord Haldane, there is little probability of their being accepted by the House of Lords and incorporated in the bill with the consent of the House of Commons. In the House of Commons it is useless to spend time in debating a bill whose passage is assured, but whose amendment is impossible; hence the bill as it passed its third reading in the House of Commons on January 16, 1913, may be accepted as the measure which will restore to Ireland its Parliament and confer on the Irish nation the keenly desired boon of self-government.

It is not possible within the limits of this article to review the history of Ireland since the Union. It may be well, however, to recapitulate the principal events leading up to Gladstone's first Home Rule Bill, which was introduced in the House of Commons on April 8, 1886. From 1800 to 1829 there was no articulate expression in Parliament from the Irish nation, for no Roman Catholic Irishmen were in the enjoyment of the franchise. Catholic emancipation, which was forced from the British gov-

ernment in 1829, was followed by the agitation for "repeal" led by O'Connell. This movement collapsed in 1843, and then followed the bitter years of famine and emigration which reduced the population by almost one-half.¹ From 1848 to 1871, the predominant features of Irish history were discontent and disaffection. Fenianism, which had its rise in the sixties, kept England in panic and nearly embroiled her in war with the United States. In 1869 the disestablishment of the Irish church was thrown as a sop to quiet the discontent; and in 1870 a Land Act, amended into ineffectiveness by the House of Lords, marked the first step in the legislation which culminated in Wyndham's Land Purchase Act of 1903.

On more constitutional lines than those followed by the Fenians, the first home-rule movement in Parliament began in 1871. At first this was largely an Ulster movement, and it was made possible by the granting of the franchise to workingmen living in the Parliamentary boroughs. The first Parliamentary leader of the movement was Isaac Butt. He was succeeded in 1880 by Charles Stuart Parnell, who had already proved his power by the introduction of obstructive tactics in the House of Commons, had won the confidence of the Fenian leaders and had identified himself with the Land League movement. The reply of the British government to the lawless tactics of the Land League was Gladstone's Land Act of 1881—the act which may be regarded as the real beginning of the long series of remedial measures passed to still the agrarian agitation which had kept Ireland in a constant turmoil. It was not until after the Reform Act of 1884 had enfranchised the working classes living outside the limits of the Parliamentary boroughs that the home rule question became a pressing one for the British Parliament. From 1885 to the present time Ireland has steadily elected four-fifths of her 103 members as Home Rulers, and these 81 to 85 members, repeatedly holding the balance of power in the House of Commons, have been able to decide the fate of governments. Since the Reform Act of

¹ In 1801, when the population of England was estimated at 14,000,000, Ireland had 8,000,000 inhabitants. In 1911 the population of England and Wales had increased to 36,000,000; that of Ireland had fallen to 4,382,000.

1884 there have been eight general elections. In 1886, 1895 and 1900 the Conservatives obtained majorities over Liberals and Nationalists combined. In 1885, 1892, 1906, January, 1910, and December, 1910, the Liberals had the support of the majority elected to the House of Commons; but in one only of these elections—that of 1906—were the Liberals returned in such numbers as to make them independent of the support of Irish Nationalists.

In 1885, at the first general election at which the workingmen of Great Britain and Ireland were able to express their opinions throughout the constituencies, there were returned to Parliament 250 Conservatives, 335 Liberals and 85 Irish Nationalists. In the Parliament of 1880–1885, during the greater part of which the Liberals had been in office, the Irish had been inclined to act with the Conservatives. The Gladstone Cabinet had been defeated in June, 1885, nominally on the question of the duties on beer and spirits in the budget, but really because of the death of General Gordon at Khartoum and the conduct of affairs in the Soudan. Lord Salisbury was prime minister when the appeal was made to the new electorate in November, 1885, and in his famous speech at Newport, on October 7, 1885, he had made a definite bid for the Irish vote. The Liberal policy in Ireland had been a combination of repression and removal of grievances. Side by side with the Land Act, which was intended to secure to the tenant the value of his improvements and to fix the rents on a fair valuation of the landlord's property, the Liberals had passed a Coercion Act. This measure had been obstructed in the House of Commons by the Irish under the leadership of Parnell; and resentment against this drastic law, which is described by Lord Morley in his life of Gladstone as an act which “practically enabled the viceroy to lock up anybody he pleased and detain him as long as he pleased,” was stronger than gratitude for the land legislation.

During the short-lived administration of Lord Salisbury, in 1885–86, an attempt was made to bind to the Conservative party in power the Irish Home Rulers who had acted with it in opposition. Lord Carnarvon, the new viceroy, definitely abjured coercion as a means of government and, as soon as he

arrived in Ireland, entered into negotiations with Parnell. In the Newport speech, Lord Salisbury made a declaration of the policy of his party, which was taken by many to foreshadow some measure of home rule for Ireland. He stated that there were two reasons for not renewing the Coercion Act:

We could not, and it would have done no good if we could. . . . To follow the extension of the franchise by coercion would have been a gross inconsistency. To show confidence by one act and the absence of confidence by a simultaneous act would be to stultify Parliament. Your inconsistency would have provoked such intense exasperation that it would have led to ten times more evil, ten times more resistance to the law than your crimes act could possibly have availed to check.

In this Newport speech there was a forecast at least of wide powers of local government for Ireland. In treating the question of extending English institutions to Ireland, Lord Salisbury touched upon the necessity of protection for the minority. His remedy was not the division of Ireland into small independent local governing areas. On this point he said:

Local authorities are more exposed to the temptation of enabling the majority to be unjust to the minority when they obtain jurisdiction over a small area than is the case when the authority derives its sanction and extends its jurisdiction over a wider area. In a large central authority the wisdom of several parts of the country will correct the folly and mistakes of one.

In view of this pronouncement and of the policy of conciliation inaugurated in Ireland, there was some expectation that the Conservatives would continue to hold office by the help of the Irish Nationalists. There was, as we have seen, no majority for either party—Liberals, 335; Conservatives and Nationalists, 335—but, in a letter to Balfour of December 20, 1885, Gladstone offered his support if the Conservatives should undertake to devise a plan of government for Ireland. Lord Salisbury was too prudent to risk his political career by any such adventure, and the settlement of the Irish question was turned over to the Liberals. The defeat of the Conservative government did not come, however, on the Irish question, but on an amendment to

the address in reply to the speech from the throne affecting the English rural laborer. The vote on this amendment was taken on January 27, 1886, and the division showed 252 for the government and 331 for the opposition—composed of 257 Liberals and 74 Irish Nationalists. By this time the Nationalist leaders had learned from Gladstone that he was willing to commit himself and his party to the introduction of a home-rule bill.

Two methods of meeting the Irish demand had been considered by Gladstone, repeal of the Act of Union and statutory home rule. There seems to have been a slight hesitation at first in his mind as to which of these plans it would be best to pursue; but in December, 1885, when there was still the possibility that home rule would be adopted as a Tory policy, Gladstone wrote to Lord Hartington that "a statutory basis seems to me better and safer than a revival of Grattan's Parliament." A statutory measure of home rule would leave the British Parliament still supreme and able to legislate for Ireland over the head of any Irish Parliament it might create. Repeal would have revived a condition of things under which the acts of the Irish Parliament could be disallowed by the crown on the advice of the ministers, but under which any alteration in the government of Ireland would have to be accomplished by the act of the Irish Parliament—the condition which had made union in 1800 possible only with the aid of unlimited bribery and corruption. From the time that Gladstone decided upon a home rule bill, no other method of granting self-government to Ireland has been under discussion; the supremacy of the Imperial Parliament has been an essential part of each successive proposal. In the bill of 1913 this principle is expressly set out in the first clause, which reads: "Notwithstanding the establishment of the Irish Parliament or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things within His Majesty's Dominions." No such explicit statement appeared in the Home Rule Bill of 1886, but this bill never reached committee stage. In 1893 imperial supremacy was affirmed both in the preamble and in the body of the bill. Even without any specific reservation of

supreme power, the creation of an Irish Parliament could not affect the complete legal supremacy of the imperial Parliament. The Irish Parliament would be the creature of the imperial Parliament, and it could be modified or extinguished by the act of the Parliament that created it. Since the demand for statutory home rule took the place of the demand for repeal of the Act of Union, it has been clear to the Irish leaders that an Irish Parliament would not be a coördinate legislature, united with Great Britain only by the link of the crown, but would be in the same position as any colonial Parliament.

It was at the end of January, 1886, that the Salisbury ministry resigned, and on February 1 Gladstone became prime minister with the definite understanding that he was to introduce a home-rule bill. Five prominent members of his previous cabinet refused office—Hartington, Derby, Northbrook, Goschen and Bright. Chamberlain waited until he had seen the draft of the bill before casting in his lot with the Unionists, but resigned in March, before the bill was made public. With his forces thus weakened, Gladstone introduced his first Home Rule Bill in the House of Commons on April 8, 1886. After four days of hot discussion, the bill was allowed to pass its first reading without division, and the second reading debate began on May 10. So great was the opposition offered to certain clauses of the bill by members of his own party that Gladstone offered to withdraw it and to bring forward an amended bill in the autumn session. This overture was refused, and the division was finally taken in the early morning of June 8. Gladstone was beaten by thirty votes—313 to 343—and as there was no possibility of getting a working majority for either Liberals or Conservatives, Parliament was dissolved. The general election which followed gave the Conservatives 316, the Liberal-Unionists 78, the Liberals 191 and the Irish Nationalists 85 seats. Conservatives and Unionists combined had thus a majority of 118 over Gladstone's party reinforced by the Nationalists.

For six years the question of home rule was in abeyance; but when the Parliament of 1886 came to an end in 1892, it was recognized that the general election must be fought largely,

if not primarily, on this issue. Great difficulties surrounded the question. The Liberals were not in agreement as to the terms of a home-rule bill. Parnell's downfall and death had weakened the Nationalists and alienated many Liberals from the Irish cause. The Conservative government, moreover, spurred by its close association with the Liberal Unionists, had stolen much Liberal ammunition; it had reformed Irish county government in 1888, and it had attempted to settle the Irish land question by the acts of 1887 and 1891, which provided for the purchase by tenants of their holdings with the aid of government credit. The elections again placed the balance of power in the hands of the Irish Nationalists: Conservatives and Liberal Unionists, 315; Liberals, 274; Nationalists, 81. The support of the Nationalists was essential to a Liberal government, and the price of this support was Gladstone's second Home Rule Bill of 1893. This bill was introduced in the House of Commons on February 13, 1893. Its passage through the House of Commons occupied eighty-five sittings. Through all its stages it was piloted by the prime minister, who at eighty-three years of age showed marvelous energy and mental power in his management of the parliamentary proceedings. Second reading was carried on April 21, by a vote of 347 to 304, and the bill passed its final stage in the House of Commons on September 1 by a majority of thirty-four. Its career in the House of Lords was brief. Its second reading was moved by Earl Spencer on September 5, and, after three days of debate, it was rejected by a vote of 419 to 41. The Liberal government continued in office until June, 1895, Lord Rosebery taking Gladstone's place as prime minister in March, 1894. On the downfall of the Rosebery ministry, Lord Salisbury again took office, and the elections of 1895 put the Liberals in a minority which lasted until 1906.

Neither the general election of 1900 nor that of 1906 was fought on the home-rule question. In 1900 the dominant issue was the Boer War, and in 1906 it was understood that no home rule bill would be introduced by the Liberals, if they were given a majority, until after another general election. In 1906 only 158 Conservatives and Liberal Unionists were returned to Par-

liament, and the Liberals had a majority of 186 over Conservatives and Irish Nationalists combined. The crisis over the budget of 1909 brought this Parliament to an end, and in the election of January, 1910, the Nationalists resumed their position as arbiters of the destinies of British governments: Conservatives and Liberal Unionists, 273; Liberals and Labor members, 315; Nationalists, 82. The work of this Parliament was first to pass the budget and then to settle the question of the Lords' veto. The Nationalists faithfully supported their Liberal allies throughout the memorable session of 1910, knowing that the reduction of the power of the House of Lords was even more essential for the success of home rule than it was for the carrying through of the other reforms in the Liberal program. A second general election was necessary before the House of Lords could be induced to perform the self-denying act of passing the Parliament Bill. This election was fought in December, 1910, and the result was to leave parties much as they were after the January election. Again the Nationalists held the balance of power in the House of Commons: Conservatives and Unionists, 272; Liberals and Labor members, 314; Nationalists, 84.

The time had now come for the Nationalists to claim the reward for their support of Liberal governments. The session of 1911 was devoted to the Parliament Bill and to Mr. Lloyd George's scheme for national insurance: but even before the opening of Parliament, in February, 1912, Mr. Churchill had made his memorable speech at Belfast, in which he outlined the intentions of the Liberal government in regard to the forthcoming Irish bill. The new bill was introduced in Parliament on April 11, and was vigorously debated before it was allowed to pass its first reading. Mr. Asquith made the introductory speech. He was followed by Sir Edward Carson, the spokesman of the Ulster Unionists, who strenuously opposed home rule for Ireland in general and the provisions outlined by Mr. Asquith in particular. Mr. John Redmond accepted the bill for the Nationalists. Mr. Ramsay McDonald gave the sanction of the Labor party to the new bill; he rejoiced in the prospect that the Irish workers in England would henceforth be free to

vote for their own interests, instead of being constrained to consider only the interests of the home rule cause in Ireland. Viscount Castlereagh, recalling with pride the share of his family in bringing about the Union, claimed that there was no good reason for attempting to pass a home rule bill; he asserted that the results of the Union had been beneficial both to England and to Ireland, and that to grant home rule would simply mean that the old struggle of 1800 would have to be repeated. Mr. William O'Brien's criticism of the bill was directed against the financial clauses. He objected to a dual control over the Irish purse and asked for freedom for Ireland to raise and spend her own revenue.

The most notable speech on first reading, after that of the premier, was Mr. Balfour's. With his usual ability for seeing both sides of a question, Mr. Balfour criticized the bill as offering at the same time too much and too little. From the point of view of a thorough-going democrat, he asserted, the bill was a half measure, full of inconsistencies. It was also utterly unworkable. It was an attempt to bring about a federal union without federal machinery. A bill granting self-government to the Irish and yet withholding from them the essentials of self-government, removing the Irish from the sphere of legislation by the British Parliament and yet leaving Irish members at Westminster to vote on English and Scotch affairs, was "lopsided federalism." Ireland either is or is not a separate nation, was his argument. If Ireland be a nation, what right has England to safeguards and supremacy? If Ireland be not a nation, why home rule at all? If she be a nation, the privileges and powers granted her are not nearly enough; if she be not a nation, they are far greater than ought to be conceded.

The debate was closed on April 16 by Mr. Birrell, the Irish secretary, who gave a brief review of the utter failure of England to govern Ireland. Eighty-six coercion acts, he told the House of Commons, had been asked by English governments from Parliament since the Union; and yet, in spite of this special legislation, the government had failed to keep order and peace in Ireland. Leave to introduce the bill was granted by a vote of 360 to 226. The motion for second reading was made

on April 30. Speeches were made on both sides by nearly all the leading members of the House who had not spoken on first reading. There was another speech from Balfour, in which he criticized severely the reservation of certain services by the imperial government. He especially attacked the clauses of the bill dealing with the royal Irish constabulary. The Irish government was to be responsible for law and order in Ireland, and yet under the bill the government could not dismiss a single policeman or raise or lower the pay of a sergeant or a constable. The arguments based on the unwillingness of the Protestants of Ulster to come under an Irish Parliament were put forward by Sir Charles Beresford and by Mr. Bonar Law, the Conservative leader; they were answered, for the government, by Mr. Herbert Samuel, the postmaster-general, and by Sir Rufus Isaacs, the attorney-general. The debate was concluded by a short speech from Mr. Asquith, and the second reading was carried by a vote of 372 to 271. Committee stage lasted from June 11 to December 12; report stage from December 30 to January 13; and on January 16 the bill was sent to the House of Lords, after passing its third reading by a majority of 110. In order to make any headway with the bill it had been found necessary to use the closure freely. Out of the 1646 lines in the bill, 212 only were debated while 1434 were carried under closure without any opportunity for debate. The only amendments carried were those proposed by the government. Of these there were 143: 84 at committee stage and 59 during report stage.

On one occasion during committee stage, on November 11, the Conservatives by a snap vote defeated the ministry and carried an amendment reducing the financial assistance which the Irish government was to receive from the imperial treasury. This amendment was carried by 22 votes, and, had the clause as amended remained part of the bill, it would have made the whole scheme unworkable. The following evening Mr. Asquith moved to rescind the vote; the speaker ruled that the motion, though without precedent, was in order; and then followed a wild scene of fury and disorder on the part of the opposition. The House of Commons was adjourned for several days, the

cabinet and the speaker taking counsel as to how best to put the bill again into workable shape. Finally, the whole clause was voted down; a new clause, prepared by the government, was proposed in its place; and the incident ended without any result except a delay of a week in the proceedings on the bill.

Most of the amendments that were made in the bill at the instance of the government were trivial—little more than improvements in its wording. Some important modifications, however, were made in the financial clauses. There was also a change made in regard to the Irish Senate. In the bill as originally submitted, the Irish upper house was to be a nominated body, like the Senate of the Dominion of Canada, appointment resting originally with the imperial government and afterwards with the Irish executive. This constitution of the Senate, which was accepted by the Irish Nationalists and by the Labor members as preferable to election on a narrow franchise, was subsequently modified by the government. The statement concerning the change was made on October 30. In introducing the bill, Mr. Asquith had stated that in the view of the government the Senate should be a small body, in which adequate provision was to be made for the representation of minorities. It had then seemed to the government that nomination would be the best means of obtaining such representation. In June, however, a deputation representative of all parts of Ireland had pressed upon the prime minister the importance of introducing the proportional principle. In proposing this amendment, Mr. Asquith criticized the earlier scheme by referring to the experience of Canada, where the appointment of senators by the government had produced inconvenient results. Personally, Mr. Asquith said, he did not care what plan was chosen, so long as it seemed adapted to produce the desired result—the representation of minorities.

Another modification introduced into the bill gives the imperial government considerable leeway in regard to the date of setting up the Irish Parliament. Although it is expected that the bill will become law about May, 1914, the calling of the Irish Parliament into actual existence may be deferred until the summer of 1915. Under this arrangement the Irish members

may keep their places in the British House of Commons for the full term of the present Parliament, and the elections for the English and Irish Parliaments may be held simultaneously after a dissolution, which must come at the latest in December, 1915, but which will probably come some months earlier. The reasons for such a postponement of the Irish elections are clear. The Liberal government would no longer have a safe majority if the Irish members were reduced from 103 to 42; and to put "the appointed day on and after which," according to clause 1 of the act, "there shall be in Ireland an Irish Parliament" immediately after the passage of the act would mean the precipitation of a general election in England.

Irish representation in the British Parliament was the greatest difficulty that Gladstone encountered in drawing up his Home Rule Bills of 1886 and 1893. According to the provisions of the earlier bill, Irish representation was to cease entirely, except in case there should be alterations or amendments proposed in the British Parliament to the Home Rule Act. This plan was approved by Parnell, who did not wish the ablest of his followers to be drawn out of the Irish into the imperial Parliament, and who also feared that the presence of Irishmen at Westminster, voting on English and Scotch affairs, would encourage interference by the British Parliament in Irish affairs. It was opposed by the Roman Catholics in England, who saw in the disappearance of the Irish members from the British Parliament a weakening of Catholic influence in Great Britain. Their chief spokesman was Cardinal Manning. It was also opposed by the Scotch members, who feared that exclusion of Irish members would be a precedent for excluding them also from a share in the imperial government if home rule should be established for Scotland. It was opposed, finally, by English Conservatives and Unionists, who saw in it a menace to the integrity of the British empire. The bill of 1893 provided that Ireland should have 80 members in the British Parliament, instead of the 103 to which she is entitled while the Union lasts; and, in the form in which it was first introduced, it contained also what was known as the "in and out" clause, by which the Irish representatives were not to have the right to vote on any motions or

bills expressly confined to England or Scotland. As soon as this clause began to be debated, it was found to be encompassed by so many difficulties that it was dropped.

The inconsistencies involved in the retention of Irish representatives in a Parliament which is local as well as imperial were recognized by Mr. Asquith when he introduced the Home Rule Bill in 1912. In the plan proposed, which provides for 42 Irish members, he frankly acknowledged that there were defects: it was a provisional compromise until such time as a complete system of local home rule could be established, with a central Parliament for the whole empire. The justification for the provisional retention of Irish members he found in the fact that the imperial House of Commons would continue to levy taxes on Ireland and that the British government for some years to come would be responsible for the administration of the reserved services. The diminution of the number he defended on the ground that it would hardly be just that Ireland should retain a representation large enough to decide the fate of British governments. The 42 Irish members, eight of whom would probably be Unionists, would rarely be able to turn the scale of political fortune between the great British parties. There was much opposition to this plan. It was argued that the 42 members would be too few really to influence legislation, if Parliament wished to interfere with Ireland, and that the maintenance of this number of seats would simply give places, with salaries of £400 a year, to a number of Irish politicians. In spite of these objections, the plan of a greatly reduced Irish representation at Westminster was on the whole well received; and this part of the bill passed, not without attack on the part of their reconcilables, but with the general acquiescence of both British and Irish.

As regards the composition of the Irish House of Commons, the present Home Rule Bill is a compromise between the bill of 1886 and that of 1893. According to clause 9, the House is to consist of 164 members, instead of 204 as in the first bill or 103 as in the second. The franchise is to remain for the present unchanged: nothing can be done by the Irish Parliament in the way of extension of the franchise or of electoral reform

until three years from the passage of the act. Strong objections were raised to this provision. Plural voting and university representation are particularly obnoxious to the Labor members and to the more democratic wing of the Liberal party; and it was to sweep away these and other inconsistencies and abuses of the existing electoral system that the Asquith government introduced the Franchise bill of 1913—the bill that was wrecked on the rocks of woman suffrage. The only explanation of the retention of these anomalies in the Irish bill is that the government hoped thereby to placate in some degree the Ulster minority, since the advantages of plural voting and of university representation accrue chiefly to the Protestant section of the Irish people. In case of disagreement between the Irish House of Commons and the Senate, it is provided that in the third session of disagreement the House and Senate are to convene in joint session and a majority vote of all the members present is then to decide the fate of the measure. As the Senate is to consist of only 40 members, a large popular majority in the House of Commons would easily override a hostile majority in the upper House. A similar provision was incorporated in both of Gladstone's Home Rule Bills.

The restrictions on the power of the Irish Parliament are much the same as in the former bills. The Irish Parliament may not legislate on matters concerning the crown, war or peace, the naval or military forces, treaties, titles, treason, foreign trade (except in so far as power is given to vary a customs tax already levied by the imperial Parliament), coinage, trademarks or the reserved services. The last item includes the administration of old-age pensions and of the National Insurance Act, the post-office services, the collection of taxes, the royal Irish constabulary, and loans made in connection with the Irish Land Acts. There is also an express prohibition of any legislation establishing or endowing any religion, or giving any preference or privilege on account of religious belief or ecclesiastical status, or making any religious ceremony a condition of the validity of any marriage. In this respect the bill of 1912 follows with slight variation the bills of 1886 and 1893. In each successive bill the safeguards for the minority have been some-

what enlarged and strengthened. Following the provisions of the former bills and also the precedents of the self-governing colonies, the Irish cabinet is to be responsible to the Irish legislature, and the royal assent to bills may be postponed by the lord lieutenant "for such period as His Majesty may direct."

There can be no doubt that the successful working of home-rule, as regards both England and Ireland, depends largely upon the financial arrangements between the two countries. At the time of the Union, Ireland was lightly taxed, as compared with England, although the burden was quite as heavy as could be borne by a country which had been so greatly impoverished by the crushing out of her industries and the destruction of her external trade. During the years of Grattan's Parliament, when home industries were being encouraged by bounties, the revenue rose from a little over one million sterling in 1783 to three millions sterling in 1800. During this time Ireland was contributing towards the expenditures of Great Britain—swelled by the Napoleonic Wars—from three and a half to four and a half millions sterling, and was incurring a debt which in 1800 stood at £32,215,223. Under the act of Union, Ireland's fiscal system was left separate, but it was provided that for twenty years Ireland should contribute towards imperial expenses in the proportion of two to fifteen. This contribution is now acknowledged to have been grossly unfair to Ireland, especially as no account was taken of the annual tribute of over £4,000,000 paid in rent to absentee landlords. During the fifteen years of war that followed the Union, Ireland, in order to pay her imperial contribution, was forced to increase her debt from £32,000,000 to £112,000,000, and in 1815 only 49 per cent of Irish expenditure was paid for out of revenue. To remedy this ruinous condition of Irish finance, an act was passed in 1817 amalgamating the British and Irish exchequers, but not as yet equalizing the taxes in Great Britain and Ireland.

Between 1817 and 1860 taxes in Ireland were gradually put on the British level, the most important changes being made between 1850 and 1860. The duties on tobacco and spirits were more than quadrupled, and the income tax was extended

to Ireland. In the years from 1853 to 1860 the taxation of Ireland was increased by £2,500,000 a year, and this at a time when the population had fallen from eight millions in 1841 to six millions in 1861. In the Home Rule Bill of 1886, Gladstone proposed an annual contribution from Ireland, to remain unchanged for thirty years, and to be fixed at one-fifteenth, or just one-half of the contribution fixed by Pitt at the time of the Union. In the bill of 1893 the Irish contribution to imperial revenues was one-third of her true revenue. Out of this, however, the charges for the Irish police and certain temporary subsidies were to be paid. The financial provisions of both the Gladstone bills were drafted without any accurate data concerning Irish taxation and Irish contributions. In order to obtain such data, a royal commission, under the presidency of Mr. Hugh Childers, was appointed in 1894 to inquire into the financial relations between Great Britain and Ireland. So far as the report of the commission was unanimous, it showed that in 1893-94 Ireland was contributing £7,568,649—between one-eleventh and one-twelfth of the British revenue—while if she had been taxed in proportion to her capacity her contribution would have been only £4,842,781; and that therefore there was an excess payment by Ireland of two and three-quarters millions sterling. The commissioners added that "the identity of rates of taxation does not necessarily involve equality of burdens." This statement, which has been much controverted, applies not only to Ireland as a country, but also to the individuals paying the taxes. Irish revenue is raised chiefly by specific duties on tea, tobacco and spirits; these articles are all largely consumed by the poor, and the rates of wages and the monetary returns from sales of produce have always been much lower in Ireland than in Great Britain; accordingly the sixpence or eightpence a pound on tea, for example, imposes a greater sacrifice upon the Irish laborer than upon the worker in Great Britain.

Not only was Ireland's contribution to imperial taxation in 1894 disproportionate, but in the same year the administration of Ireland was just about twice as costly in proportion to her population as was the administration of Great Britain—an evil that has been greatly aggravated since the report of the royal

commission. The large expenditures on Ireland were then due to the constant need for the repression of political crime, and to the fact that the scale of expenditure—notably the salaries of the lord lieutenant, judges and other officials—was regulated by British, not by Irish conditions. According to a table, presented by Professor Oldham of Cambridge University at the meeting of the British Association in 1911, during the years from 1809 to 1911 Ireland contributed £329,000,000 to Great Britain. The largest contribution was in 1860, when it was £5,500,000. In 1890, it had fallen to two millions sterling, and from 1890 onward the expenditures on Ireland have risen so enormously that there is now a deficit of £1,250,000 each year, although Ireland is still overtaxed in proportion to her capacity by over two millions sterling. In the year 1910–11 the total government expenditure in Ireland was £11,344,500 or £2 11s 9d per head; while the average cost of government to each Englishman was only £1 9s 2d. The recent increases of expenditure in Ireland are largely due to old-age pensions, which were fixed on a scale suitable to England and somewhat excessive for a poor country like Ireland; to land purchase; to education, to post-office expenditures, which in Ireland exceed receipts, and to agricultural development.

Before drafting the Home Rule Bill, the Asquith Government appointed a departmental committee to inquire into the present condition of Irish finances and to make recommendations regarding financial arrangements under home-rule. In his introductory speech on the bill, Mr. Asquith told the House of Commons that the government had not been able to adopt the scheme recommended by the committee, but that the facts presented in the report had been of great value in drawing up the financial sections of the bill. Roughly these facts are that, while in 1895–96 the true Irish revenue was about eight millions sterling and the expenditures on Irish services about six millions, in 1912–13 the Irish revenue, according to the estimates, will be about £10,840,000 and the Irish expenditures £12,350,000.

If the Union continues, there is no prospect of any improvement in Irish finance. England has adopted the plan of quiet-

ing Irish discontent by making enormous expenditures in Ireland; and from the Conservative side of the House of Commons there is a definite promise of large increases in these expenditures if the Unionists should come into power before the Home Rule Bill can become law. Even under the present plan of home-rule it will be impossible for Ireland at once to reduce the excessive expenditures on many of her services. The liabilities for land purchase cannot be removed. All judges and civil servants in Ireland are to receive the same salaries and to be entitled to the same pensions under home-rule that they now enjoy. The Irish royal constabulary must be continued, and no economies can be effected in this extremely expensive item of Irish government. The collection of taxes is left in the hands of the imperial government although it will be a charge against Irish revenues; and no changes can be made in regard to post-office services, which at the present time cost much more than the revenue they bring in. Still, the financial sections of the Asquith bill tend to encourage economy by making it of some advantage to Ireland. Since 1817 there has been no relation between the revenue raised in Ireland and the cost of Irish government. There was therefore no inducement to any Irishman to demand economy in government. During the whole of the nineteenth century Ireland was paying tribute to England out of taxation in the levying of which she had practically no voice. In recent years England has been pauperizing Ireland by subsidies, although even yet the rate of taxation in Ireland is far too high for so poor a country.

The financial provisions of the Asquith Home Rule Bill are extremely intricate. Ireland will have far less control of its own taxation than has any of the oversea self-governing dominions. The Irish Parliament will be responsible for the cost of Irish services, except those reserved to the imperial government. The imperial Parliament will continue to tax the whole of the United Kingdom, and the collection of all taxes forms one of the reserved services. In the first years of home-rule, the Irish revenue will not be dependent directly upon Irish taxation; there will be transferred to Ireland each year a sum representing the cost, as determined by a body called the Joint Ex-

chequer Board, of all the Irish services at the time of the passage of the act, with the exception of the post-office, the revenues of which will go directly into the Irish exchequer. These two sources of income—"the transferred sum" and the postal revenues—will hardly be enough to cover Irish needs, and the bill provides for an additional amount of £500,000 to be transferred from the Imperial exchequer in order to assist the Irish in setting up their government. After a short term of years, this British subsidy is to be diminished by £50,000 each year until it shall be reduced to £200,000. If the Irish government wishes to spend more, it must raise the further amount by additional taxation; if it can succeed in governing the country more economically, the Irish Parliament can reduce taxation, and "the transferred sum" will be correspondingly reduced. The taxes levied by the Irish Parliament will be collected by the imperial government. These taxes may be either additions to customs or to excise duties or new forms of taxation; but customs duties can be imposed only on articles already dutiable under imperial tariffs, and the extra customs duties must not exceed ten per cent of the previous duties. Stamp duties cannot be altered by the Irish Parliament. There is no restriction on the increase that may be made in excise duties; but on income taxes and death duties the increases are limited to ten per cent. When he introduced the bill, Mr. Asquith looked forward to a natural growth in Irish revenue which would diminish and finally extinguish the deficit.

When the prime minister explained the bill to the House of Commons, a rough balance sheet of Irish revenue and expenditure was submitted. It was divided into an Irish account and an imperial account. The Irish account included, as receipts, the transferred sum of £6,350,000, and the post-office receipts of £1,350,000; altogether, £7,700,000. The expenditures, as based on the current year, were: Irish services, excluding the reserved services, £5,600,000, and post-office expenditures, £1,600,000—total, £7,200,000—thus allowing a margin of £500,000. The imperial balance sheet showed Irish revenue (with the exception of the post-office) £9,285,000, say, £9,500,000; expenditures, £11,630,000—leaving a deficit of

almost exactly £2,000,000. The items of the estimated expenditures were: transferred sum, £6,500,000; old-age pensions, £2,660,000; national insurance, £190,000; land purchase, £616,000; police, £1,380,000; and collection of revenue, £300,000.

There can be no contribution from Ireland at present to imperial revenues. If at any time in the future Irish revenues shall exceed the cost of Irish government, including the reserved services, there will be a revision of the financial provisions, with a view to securing the proper contribution from Ireland towards the common expenditures of the United Kingdom. Such a rearrangement will be accompanied by an extension of the powers of the Irish Parliament in regard to the collection of taxes and general financial control; so that the price of fuller self-government is to be the bearing by Ireland of her own financial burdens and the making of some contribution to imperial expenditures.

In considering the apparent liberality of the British government several points must be remembered. In the first place, the deficit already exists, and neither Mr. Asquith nor any other authority on Irish government and finance has any hope that it will diminish under the Union. On the contrary, it is obvious that, under existing circumstances, the deficit in Irish revenues, as compared with expenditures, must increase, and Ireland must become a heavier burden on the imperial exchequer. In the second place, it must be recalled that the enormous cost of Irish government as at present conducted is due to British enactments, and that Ireland is not to be free to reduce any considerable part of this expenditure, but must continue it—or have it continued for her as a reserved service—on exactly the same scale as at present.

Time only can show whether or not Irish home rule, under the conditions and limitations laid down in the Home Rule Bill of 1913, will be a success. The position of Ireland will be in no way comparable with that of Canada, Australia or South Africa. After representative and responsible government was granted to Canada, she was left free to regulate her own trade and commerce, to levy her own taxes and to collect her own

duties and imposts. No such restrictions were laid upon her as are imposed upon Ireland, and she was left to fight her own way to economic independence and national prosperity. Ireland will still be tied hand and foot by restrictions on her power of levying taxes, of controlling oversea trade, of deciding even such domestic matters as land legislation, old-age pensions and national insurance. Whether it is possible that a nation held in leading strings will develop energy, initiative and statesmanship remains to be seen. In his excellent analysis of the position of Ireland and of the conditions essential to the success of home rule for Ireland, Mr. Childers writes: "I myself venture to lay down only the broad proposition that to the last farthing Irish revenue must govern and limit Irish expenditure. For any hardship entailed in achieving that aim Ireland will find superabundant compensation in the moral independence which is the foundation of national welfare." And again, in discussing the plan of handing over to Ireland a lump sum from the imperial exchequer (the plan adopted in Mr. Asquith's bill), Mr. Childers says:

It is not Home Rule. It annihilates the responsibility of Ireland for her own fortunes, and is indeed altogether incompatible with what we know as responsible government. . . . Nothing could be more cruel to Ireland than to give her a fictitious financial freedom, and then to complain that she did not use it well.¹

The scheme incorporated in the Asquith Home Rule Bill offers one advantage that was not contemplated by Mr. Childers. It offers to Ireland some possibility of reducing expenditures and thus decreasing taxation. But Ireland is not given the fiscal independence that is essential to real home rule; and if the new Irish government, which the bill aims to set up, fails of the high hopes of its advocates and supporters, its failure will probably be attributable to the fact that the degree of home rule granted to her was far short of the measure of home rule that England has granted to each of her oversea dominions.

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¹ Erskine Childers, *The Framework of Home Rule* (London, 1912), p. 304.